

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC INVESTIGATION OF HOME	)	
ENERGY ASSISTANCE PROGRAMS OFFERED	)	CASE NO.
BY INVESTOR-OWNED UTILITIES PURSUANT	)	2019-00366
TO KRS 278.285(4)	)	

ORDER

On January 3, 2020, Duke Energy Kentucky, Inc. (Duke Kentucky), filed a petition, pursuant to 807 KAR 5:001, Section 13, requesting that the Commission grant confidential protection indefinitely to Duke Kentucky's response to Commission Staff's Second Request for Information (Staff's Second Request), Item 6, Attachment 1, which consists of customer specific account information, including names, addresses, customer account numbers , and the names of customers who received bill payment assistance through Duke Kentucky Home Energy Assistance (HEA) program.

As a basis for its request, Duke Kentucky states that the designated materials are generally recognized as confidential and that confidential treatment is necessary to protect the customers identified in the reports.

Having considered the petition and the materials at issue, the Commission finds that the designated materials are public records containing information of a personal nature and that the public disclosure of the information would constitute a clearly unwarranted invasion of personal privacy. The designated materials therefore meet the criteria for confidential treatment and are exempted from public disclosure pursuant to 807 KAR 5:001, Section 13, and KRS 61.878(1)(a).

IT IS THEREFORE ORDERED that:

1. Duke Kentucky's petition for confidential protection for Staff's Second Request, Item 6, Attachment 1 is granted.

2. The designated materials shall not be placed in the public record or made available for public inspection for an indefinite period or until further Order of this Commission.

3. Use of the materials in question in any Commission proceeding shall be in compliance with 807 KAR 5:001, Section 13(9).

4. Duke Kentucky shall inform the Commission if the materials in question become publicly available or no longer qualify for confidential treatment.

5. If a non-party to this proceeding requests to inspect the materials granted confidential treatment by this Order and the period during which the material has been granted confidential treatment has not expired, Duke Kentucky shall have 30 days from receipt of written notice of the request to demonstrate that the materials still fall within the exclusions from disclosure requirements established in KRS 61.878. If Duke Kentucky is unable to make such demonstration, the requested materials shall be made available for inspection. Otherwise, the Commission shall deny the request for inspection.

6. The Commission shall not make the requested materials available for inspection for 30 days following an Order finding that the material no longer qualifies for confidential treatment in order to allow Duke Kentucky to seek a remedy afforded by law.

By the Commission

ENTERED  
JAN 21 2020  
KENTUCKY PUBLIC  
SERVICE COMMISSION

ATTEST:

  
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